HOUSING INTENSIFICATION STUDY

STRATEGY OPTIONS REPORT

DRAFT

1.0 INTRODUCTION

This report, the Housing Intensification Study Strategy Options Report, represents the initial outcome of Phase III of the Housing Intensification Study. These Strategy Options presented here will provide the basis from which the Technical Steering Committee that is guiding the Housing Intensification Study will formulate final strategies and create an implementation plan. The two previously produced volumes of the Background and Analysis Report provide the foundation for the strategy options presented here.

The strategy options take the form of five "packages" which present a series of recommendations that are in keeping with the theme of each individual option package. Of course, the final strategies may include elements of any one of the options presented here.

2.0 STRATEGY OPTIONS

2.1 Option "A"

Option "A" is the "do nothing" option. It assumes that the current policies and regulations that are in effect are sufficient to deal with intensification. The main recommendation is that none of the current elements of the Zoning By-law, the Official Plan, or any other procedures should be changed. All present controls, including the minimum unit size, age, requirements, and lot sizes should remain in effect.

2.2 Option "B"

Option "B" suggests minor changes to present policies regarding intensification. The purpose of this Option is to lessen the restrictiveness of the major impediments to intensification. These recommendations apply only to the perimeter of neighbourhoods, and will permit a larger number of conversions to take place, but will also provide enhanced protection to residents against the possible negative impacts of housing intensification, particularly in predominantly single-family neighbourhoods.

The recommendations in Option "B" include:

- Create Official Plan policies that specifically support housing intensification.
- Amend Section 19 of the Zoning By-Law so that any dwelling that is older than 30 years may be converted. Presently, only dwellings erected prior to July 25, 1940 may be converted.
- Amend Section 19 of the Zoning By-Law to permit additions to any dwelling provided that front, side, and rear yards meet the requirements of the zoning district in question. Presently, additions are not permitted in "a residential district in which no

dwellings except single family dwellings are permitted," which includes zones AA, B, B-1, B-2, and C.

- Amend Section 19 of the Zoning By-Law so that the average floor area of dwelling units created by conversion is at least 65.0 square metres. Presently, each unit must have a minimum size of 65.0 square metres.

- Amend the Zoning By-Law so that only one parking space is required for each dwelling unit in a three-family dwelling. The present requirement is 1.33 spaces per dwelling unit.

- Amend the Zoning By-Law so that the owner of a converted single detached dwelling must remain living on the premises. No such requirement presently exists.

OTHER ELEMENTS

- The City of Hamilton should pressure the government of the Province of Ontario to enact legislation that would facilitate the identification and prosecution of homeowners who have created illegal apartment units.

- Amendments to the Zoning By-Law that relax regulations regarding conversions apply only on the periphery of a neighbourhood, adjacent to arterial roads. Existing requirements remain for the interior of the neighbourhood.

- Review commercial areas to determine if it is desirable to amend the requirements of the Zoning By-Law to permit a greater amount of new residential development, or to permit the conversion of underused commercial space to residential. This can be done on an individual basis as was previously done in the Jamesville area.

- Review the present 4.5 metre minimum frontage requirement to determine if it is adequate to permit access by emergency vehicles.

- Amend the requirements of the "H" zone to reduce the separation distance between converted buildings from 180 metres to 100 metres.

- Amend the requirements of the "H" zone so that the present age requirement of March 8, 1983 is changed to 7 years.

- Amend the requirements of the "H" zone to reduce the distance between converted dwellings from 180 to 100 metres.

- Review the requirements of the "H", "I", and "CR" zoning districts in order to determine if a larger amount of residential development should be permitted in these areas.

- Compile an inventory of opportunities for intensification through infill and redevelopment.

2.3 Option "C"

Option "C" recognizes that intensification can provide affordable housing and can also lead to the more efficient provision of municipal hard or soft services. However, it also recognizes that neighbourhood residents have many concerns that must be addressed. Also, there is the possibility of a clustering of conversions and a subsequent overuse of services. Option "D" therefore permits conversions on a wider basis, yet contains provisions to better protect neighbourhood residents from the possible disruptions that conversions can bring.

Option "C" also recognizes that infill and redevelopment are less objectionable forms of intensification that may provide similar results in terms of affordable housing, and better use of services.

The recommendations in Option "C" include:

General Recommendations

- Prepare Official Plan policies that will facilitate housing intensification

- Amend Section 19 of the Zoning By-Law so that any dwelling that is older than 15 years may be converted. Presently, only dwellings erected prior to July 25, 1940 may be converted.

- Permit additions to the front of a building only in accordance with the required front yard and the established building setback along the street.

- Replace the present 65.0 square metre minimum unit size with varying sizes, depending upon the type of unit: i.e.,

Bachelor	- 40 m^2 (430.6 sq. ft.)
One Bedroom	- 48 m^2 (516.0 sq. ft.)
Two Bedroom	- 60 m^2 (645.9 sq. ft.)
Three Bedroom	- 65 m^2 (700.0 sq. ft.)

- Amend Section 19 of the Zoning By-Law so that outside stairways are permitted on the rear of buildings only.

- Amend the current standards for the number of parking spaces required to:

One family	1 space per dwelling
Two family	1 space per dwelling
Three family	1 space per dwelling
Multiple (4+)	1.25 spaces per dwelling

- Front yard parking should be permitted, provided that no more than two parking spaces are created in the front yard. Tandem parking should continue to be unacceptable.

- Create a definition for "accessory" apartment units such that they are self-contained dwelling units that are supplementary to the primary residential use of the property. This will become part of the requirements for a converted dwelling. Any new dwelling units that are added to single detached dwellings will be accessory units, so as to distinguish converted dwellings from duplexes. Inherent in the notion of

accessory apartments is a requirement that the homeowner remain living in the dwelling.

- Require that the owner of a single detached dwelling who converts to include an accessory apartment must remain living in the home.

- Provide technical definitions in the Zoning By-law that allow for greater flexibility in measuring lot widths, so that key lot severances may be possible.

OTHER ELEMENTS

- The City of Hamilton should pressure the government of the Province of Ontario to enact legislation that would facilitate the identification and prosecution of homeowners who have created illegal apartment units.

- No more than 20% of the dwellings in any neighbourhood may be converted.

- Converted dwellings should be separated by a radial distance of 35.0 metres measured from lot line to lot line.

- Amend the requirements of the "H" zone to reduce the separation distance between converted buildings from 180 metres to 100 metres.

- Amend the requirements of the "H" zone so that the present age requirement of March 8, 1983 is changed to 5 years.

- Amend the requirements of the "H" (Community Shopping and Commercial) zoning district to allow for a greater amount of new residential development. For example, any number of dwelling units could be permitted provided that the floor area used for residential did not exceed the floor area used for commercial.

- Amend the requirements of the "I" (Central Business District) zoning district to remove the requirement that there is 65.0 square metres of lot area for each dwelling unit. Other requirements of this district and the CR-3 district should be further reviewed.

- Compile an inventory of opportunities for intensification through infill, redevelopment, and the conversion of underutilized commercial space. Various commercial areas can be studied on an individual basis for possible changes to the zoning regulations, such as the previous work done in the Jamesville business area.

- The City should consider the possibility of offering incentives to those who create additional affordable rental housing, such as cost sharing arrangements for the provision of services, or tax incentives. A residential incentives committee could be established.

- The City should consider the possibility of granting a limited amnesty on illegally converted apartment units, provided that there is some process possible by which health and safety measures can be secured.

- Review the present minimum required public highway frontage of 4.5 metres to ensure that it is adequate to provide for safe access by emergency vehicles.

- Adopt recommendation 20 from the High Density Residential Study which suggests that the lot width requirement for multiple residential zones in the Central Area be eliminated from the Zoning By-law.

- Adopt recommendation 21 from the High Density Residential Study which suggests that the minimum lot size in the Zoning By-law be reduced to 360.0 m^2 for all residential zones within the Central Area.

- The City should provide the necessary resources to enforce the Maintenance and Occupancy Standards (Property Standards) By-law.

- The City should use the demolition control provisions of Section 33 of the Planning Act on a City-wide basis to protect the exisitng housing stock. Demolition permit applications should be circulated to the Planning Department for comment.

- The City should provide more information to the public regarding conversion. By-Laws could be explained through a series of seminars in neighbourhood schools or community centres. Seniors could be told of the benefits of converting, such as leasing agreements that require the tenant to shovel snow and mow the lawn. The financial benefits of converting can also be outlined.

- Amend the Zoning By-law so that the floor space of an accessory unit cannot exceed the floor space of the primary dwelling unit, in order to reinforce the notion that the single family use is the primary use.

- The Engineering Department should provide information on water and sewage services capacities and possible constraints

- Remove the present requirement that the cubic content of dwellings in "zones in which no dwellings are permitted except single-family dwellings" cannot be increased. Allow additions to any dwelling in accordance with required side and rear yard setbacks for the zone in question.

- Maintain the present requirement that the external appearance and character of the converted dwelling must be preserved.

- Maintain the current limits on the number of units that may be created in each converted dwelling, and current lot size requirements for conversions.

2.4 Option "D"

The final option to be presented would permit conversions on an open basis throughout the city. The recommendation included in this option are:

- Create Official Plan policies that specifically support housing intensification.

- Remove the present age restriction on conversions of July 25, 1940, and replace it with an age restriction of five (5) years.

- Permit additions to dwellings for the purpose of conversion, subject to the required yard provisions of the Zoning By-law.

- Remove the minimum unit size provisions of the zoning by-law, leaving unit size to be governed by the Ontario Building Code.

- Subsection 19(iv) of the Zoning By-Law, which prohibits outside stairways, should be eliminated.

- Subsetion 19(v) of the Zoning By-Law, which requires that the "external appearance and character of the dwelling must be preserved," should be eliminated.

- The requirement that 65 sq. m. of lot area be provided for each dwelling unit should be eliminated.

- Converted dwellings need not provide any specified number of on-site parking spaces.

- Permit front yard parking with no restrictions.

- Permit tandem or stacked parking.

OTHER ELEMENTS

- The City of Hamilton should pressure the government of the Province of Ontario to enact legislation that would facilitate the identification and prosecution of homeowners who have created illegal apartment units.

- The requirements of the "H" zoning district should be amended to eliminate the maximum of ten permitted units. The 180 metre separation distance should also be eliminated, and no parking requirement should be set. In addition, the minimum age requirement should be eliminated.

- The City should undertake an inventory of infill and redevelopment opportunities throughout the City. Commercial areas, in particular, should be studied. A residential incentives committee could oversee this endeavour.

- The City should consider the possibility of land-banking to provide sites for co-operative or non-profit housing.

- The City should consider the possibility of granting a general amnesty on illegally-converted dwellings.

- The present minimum public highway frontage requirement of 4.5 metres and lot width requirements should be eliminated, provided that some other form of access is available.

- The present minimum lot sizes for lots upon which there is an existing dwelling should be reduced to a uniform 300.0 square metres (3,229 sq. ft.) to permit more severances for infill purposes. The severed lot would also have a minimum lot area requirement of 300.0 square metres.

- The height restrictions in single and two-family residential districts should be increased to a uniform 4 stories from the present 2.5 to 3.0.

- Section 4.3a of the Zoning By-law should be amended to permit the erection of two or more residential buildings on a single lot, provided that there is common ownership and that all other zoning requirements are met.

- The City should use the demolition control provisions of Section 33 of Planning Act on a city-wide basis, and applications should be circulated to the Planning Department for comment.

- The City should educate the public about housing intensification.

The above recommendations could enlarge the number of opportunities that exist for intensification to take place by removing virtually all of the impediments of the Zoning By-law.